

# EXHIBIT 7



Name: Bernadette Bibber  
 Date: January 28, 2015  
 Submitted by: Mrs. Marge Weiner, M.A.  
                   Academic Language Therapist

#### Documentation of Dyslexia and Background

Bernadette Bibber was diagnosed at The Total Learning Center with Dyslexia when she was in fifth grade. Based on this diagnosis she received direct instruction in the Wilson Program from fifth to seventh grade. The Wilson Program is an Orton-Gillingham based multisensory curriculum with a specific sequence of concepts taught in the areas of: sound/symbol association, reading decoding, comprehension and fluency, spelling accuracy and the application of these concepts to written language. This curriculum was specifically developed for students who are dyslexic and require a multisensory hands on approach to reading and the integration of all the sensory modalities in the learning process. It is the integration of visual, auditory and kinesthetic modalities that enhance the retention of skills. Based on the initial testing it was quite evident that Bernadette required the Wilson Reading program in order to directly address her areas of weakness in decoding, encoding and written language.

A diagnosis of Dyslexia is based on a specific learning profile of strengths and weaknesses in acquisition of the languages skills of reading, spelling and written language. During the testing Bernadette demonstrated difficulty with sound/symbol association, decoding of unfamiliar words and spelling words not in her sight memory. Since she was a strong sight reader she had relied on her memory to read words as whole units, rather than segmenting words into syllables to read accurately. During the testing difficulties in the area of decoding were evident when reading real and nonsense words.

Based on the testing Bernadette clearly had strengths and weaknesses in her learning profile. She was a strong sight reader and relies on her memory for words, but lacks enough knowledge of syllable segmentation when she came to an unfamiliar word. Bernadette lacked the skills to decode and encode unfamiliar words not in her memory bank. Her area of greatest weakness was in the area of comprehension and this was further impacted by her diagnosis of Attention Deficit/Hyperactivity Disorder, predominantly Inattention Type(11/2005), by Ann Schoenthaler-Ervin Ph.D. As a result of her difficulty with decoding coupled with her attention deficit disorder, Bernadette would have to read passages several times in order to process and retain factual information.

**Based on the testing completed at The Total Learning Center  
Bernadette demonstrated specific signs and symptoms of a dyslexic student:**

1. Limited knowledge of grapheme (letter) to sound association particularly in the area of short vowels, vowel consonant E vowels, R controlled vowels, double vowels and vowel combinations.
2. A lack of knowledge of the basic syllable types and the sound that the vowel makes within each syllable.
3. A lack of knowledge of basic syllabication rules.
4. Relying on guessing based on the first letter in the word or first syllable, rather than using a sound/symbol approach to spelling.
5. Basic decoding errors: adding sounds within syllables, omitting sounds or substituting sounds.
6. Memorizing words rather than using a sound/symbol strategy for reading unfamiliar words.
7. A lack of fluency and accuracy when reading orally.
8. Poor comprehension skills, particularly in the area of oral and silent reading comprehension.

9.Poor spelling skills based on a lack of knowledge of basic spelling rules, knowledge of symbol to sound association and a lack of knowledge of syllabication rules.

10.Reading of nonsense words were particularly problematic since Bernadette could not rely on her basic strategy of memorizing words, rather than segmenting and using a sound symbol approach to reading unfamiliar words.

11.History in the family of reading, spelling and writing difficulties.

Dyslexia coming from the Greeks "difficulty with words" which can effect knowledge of sound symbol association, decoding, encoding, grammar, written language skills and auditory processing. Many of these individuals eventually learn to read due to their ability to memorize, but continue to struggle in the language areas of reading fluency, reading comprehension, spelling accuracy, written language skills and grammar. Often they are difficult to identify due to their strong compensation skills and their inconsistencies in their achievement. It is essential that they receive the necessary direct remediation and accommodations, so they can experience school success.

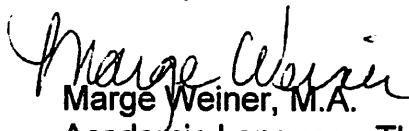
Bernadette is functioning as a high level dyslexic student with a strong work ethic. Due to her dyslexia which impacts her ability to read unfamiliar text, her decoding is slower which would be detrimentally impacted on a timed test such as a her Medical Board. In order for Bernadette to have the opportunity to re-read text in order to process the detailed information she would need extended time on the Medical Board. Extended time would enhance Bernadette's ability to successfully pass her medical board.

Bernadette Bibber is a thirty year old fourth year medical student who demonstrates strengths and weaknesses in her learning profile. She is a high achiever with superior intelligence, but has always had to work extremely hard to achieve at her potential, due to weaknesses in the area of reading decoding, reading comprehension and fluency. These difficulties in decoding of unfamiliar words could effect Bernadette's ability to read with fluency and comprehension highly scientific medical passages with medical terminology when being timed to complete the test. When decoding is inaccurate, comprehension will be negatively impacted. Since

Bernadette reads at a slower pace words that are difficult for her to decode, rather than reading fluently the ability to process the meaning behind the words read also becomes challenging. With Bernadette's diagnosed Attention Deficit Disorder and the knowledge that this test is timed are all factors that require accommodations, so that Bernadette has the same opportunity as the other medical students to successfully pass this test.

Bernadette is an intelligent adult with a strong work ethic and a history of frustration in the areas of reading, and language retention due to Attention Deficit Disorder. She has difficulty retaining and retrieval factual information, unless given sufficient time to process complex language. On a timed test such as the medical boards without additional time, she cannot possibly read the questions more than one time. With her difficulty with comprehension and language processing Bernadette could misread the meaning behind the questions without having time to slowly process the questions. Based on the premise of the American with Disabilities Act which was meant to protect the needs of individuals with learning disabilities, high functioning dyslexics need to be afforded the accommodations that would allow them to prove their knowledge based on their learning disabilities. While Bernadette is cognitively as intelligent as the other medical students without learning disabilities, without the accommodation of extended time due to the language processing weakness she will be unable to fully prove her knowledge of the subject matter tested. In essence, it is most important as a physician that she possesses the necessary medical knowledge required of her, not how quickly she can complete the medical boards.

Sincerely,



Marge Weiner, M.A.  
Academic Language Therapist

# EXHIBIT 8

Bibber, Bernadette '07

12/12/03



Education Expert  
Specializing in Dyslexia

Fellow, Academy of  
Orton Gillingham  
Practitioners & Educators

32 Old North Road  
Amenia, New York  
12501

- B's in BI + CH, maybe A in HI
- had to drop Honors calc
- will petition for lang mod
- LT in HS as well as SP
- a constant struggle

November 24, 2003

To Whom it May Concern:

On November 23 I did an informal evaluation of Bernadette Bibber. Her mother brought her to me out of concern for her daughter's ability to cope with a foreign language requirement.

There is a significant history of dyslexia, which is heritable, in the family. Neither of the paternal grandparents ever learned to read and write, despite normal school experiences in New Jersey. Bernadette's father reads with difficulty, but cannot "write a sentence," nor can he remember his address of many years, but has to refer to his driver's license. All four of the siblings, of whom Bernadette is the oldest, have difficulty in school. Alex, now sixteen, came to The Kildonan School three years ago as a virtual non-reader, despite many earlier attempts at remediation. He is classically dyslexic, and, as his tutor, I find him continuing to struggle with both reading and spelling.

Bernadette was born deaf. Her mother consulted a number of experts, one of whom advised her to keep the house very warm in the hopes that eventually her hearing would develop. On the day of her six-month birthday, she began hearing for the first time. Recent research supports the theory that the first six months of life are important ones in the development of language (Gopnik, Meltzoff, and Kuhl, *The Scientist in the Crib*). Moreover, Bernadette was plagued with ear infections, although the removal of her tonsils and

adenoids at about age four produced some improvement. She still periodically suffers earaches, for which she is often given antibiotics, but sometimes, she reports, she "just toughs it out."

In first grade, she was referred for testing. On the WISC she achieved a score in the high average range, with subtests in arithmetic, coding, and digit span lower than the rest. The examiner noted that she required frequent repetition of some of the test items. She spent two years in nursery school and a year in kindergarten. Nevertheless, towards the end of first grade, testing indicated weaknesses in reading and in other aspects of language, in contrast to math, which scored at the 64<sup>th</sup> percentile.

At age ten, she was tested again. Her auditory processing was that of a five-year-old (14<sup>th</sup> percentile) and her short-term memory was also weak.

Other testing was done, but her mother had thrown it away, thinking she would never need it.

Rather than use standard measures, I administered most sections of the High School Level Slingerland Test. This series of subtests, test, for which there are no standard norms, is designed to measure visual, auditory, and kinesthetic abilities, and the various connections between them.

In the test of far-point copying, she finished under the time limit, with three small errors. She made one error in punctuation in the test of near-point copying. Her handwriting is neat, legible, and rapid, even though she has an incorrect pencil grip. Matching items were good, with only two errors, one of which was a reversal. On the test of delayed recall of visual items, she made two minor errors. Thus her visual and kinesthetic abilities seem relatively strong.

In the test that involved listening and then writing what she recalled, her errors were significant. She missed one word completely, confused the dictated arithmetic numerals, and both omitted and changed words in the dictated sentence, as well as the dictated phrase. Even more significant was her difficulty in recalling the main points of a short paragraph that was read to her. Of the points made, she omitted two completely. This subtest is designed to test the skills that are needed to learn from lectures.

Indeed, Bernadette reported that she has difficulty taking notes, which often involve copying from the board and listening simultaneously. In the final test, the spelling of 20 fairly difficult words, she missed seven. Her errors were as follows: *truly, receive,*

*immediately, occasionally, adolescent, exuberant, gaurentee.*

I next asked her to write a paragraph about her work experiences. In a short time she produced as essay of three pages of beautifully written and organized paragraphs. Her spelling was adequate, but she will at some point need instruction in syntax. I asked her about compound and complex sentences, and she had no idea what I meant.

Her mother asked me about hyperactivity. I told her that that is a diagnosis I am unqualified to make, but that I saw no evidence to support it.

Bernadette is a diligent and hard-working student. She says she spends all her time in studying and has no time for recreation. She has elected to enroll in some challenging classes, especially advanced calculus, and she is an ambitious young woman.

Her long history and continued difficulties with auditory processing make it highly unlikely that she could succeed in learning any foreign language at college. It is my heartfelt recommendation that she be exempted from this requirement on the grounds of her history and her continuing difficulties with the auditory form of learning.

*Wendy H. Krieger*

# EXHIBIT 9

July 10, 2015

**Ms. Margaret Wong**  
Candidate Services Coordinator,  
National Board of Osteopathic Medical Examiners  
8765 West Higgins Road, Suite 200  
Chicago, Illinois 60631-4174

To Whom It May Concern:

I have known Bernadette Bibber for approximately 25 years. She was a student in my class during her years in elementary school. Bernadette was educationally evaluated by the Child Study Team in first grade and, subsequently, classified as having a Specific Learning Disability (SLD) in the area of reading comprehension and provided accommodations in an Individualized Educational Plan (IEP).

Bernadette is a bright, caring, hardworking student who always takes pride in her work. She has made great strides in reading by benefitting from the accommodations provided for her in her Individualized Educational Plan (IEP). She was allowed to have extended time for tests and projects throughout her academic career. I know that Bernadette will be an asset to any academic program when accommodations such as extended time on tests are provided.

If you have any further questions, please call me at (732) 832-1508.

Lia Haneke  
BA Special Education  
MA Special Education  
Learning Disabilities/ Teacher Consultant (LDT-C)

# EXHIBIT 10

## Monmouth County Vocational School District

Brian D. McAndrew, Ed.D.  
Superintendent

Timothy M. McCormick  
Assistant Superintendent

Marine Academy of Science and Technology  
Building 305  
Sandy Hook, New Jersey 07732-5196  
732-291-0995  
Fax 732-291-9367

Rosemarie Kindon  
Business Admin/Bd. Sec'y  
Paul J. Christopher, Ed.D.  
Principal

December 16, 2002

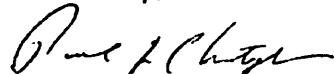
Dear Mrs. Bibber:

Enclosed is Bernadette's recommended 504 Plan. This plan was proposed at a conference by you and members of the 504 Implementation Team on October 1, 2002. This letter will serve as a receipt of the 504 Plan.

If you wish to discuss any part of Bernadette's 504 Plan, please feel free to contact me.

Please sign and return this letter and the 504 Plan approval within three days of receipt. A return envelope is enclosed for your convenience.

Sincerely,



Paul J. Christopher, Ed.D.  
Principal

Parent Signature

Date

## Monmouth County Vocational School District

Brian D. McAndrew, Ed.D.  
Superintendent

Timothy M. McCorkell  
Assistant Superintendent

Marine Academy of Science and Technology  
Building 305  
Sandy Hook, New Jersey 07732-5196  
732-291-0995  
Fax 732-291-9367

Rosemarie Kindon  
Business Admin/Bd. Sec'y

Paul J. Christopher, Ed.D.  
Principal

### 504 Evaluation Team Recommendations 10/01/02

Student's Name: Bernadette Bibber

Team Members: Mrs. Burger      Ms. Downey  
                 Ms. McDonald     LCDR Mucciarone  
                 Ms. Loughrey      Dr. Christopher  
                 Mrs. Johns        Ms. Klecak

Team Conclusions and Rationale: X 504 Eligible

#### Implementation Strategies:

- Student will not be held accountable for spelling, except in the case of long range assignments.
- Student will receive extra time for tests, if necessary
- Student will be provided with notes for any information not contained in text. Teacher notes or classmate notes are acceptable.
- Teachers will complete a written evaluation reflecting student's progress every two weeks.

#### Schedule for Implementation:

- 2002-2003 school year

## Monmouth County Vocational School District

Brian D. McAndrew, Ed.D.  
Superintendent

Timothy M. McCormick  
Assistant Superintendent

Marine Academy of Science and Technology  
Building 305  
Sandy Hook, New Jersey 07732-5196  
732-291-0995  
Fax 732-291-9367

Rosemarie Kindon  
Business Admin/Bd. Sec'y

Paul J. Christopher, Ed.D.  
Principal

### 504 Plan

Bernadette Bibber

Grade 12

DOB: [REDACTED] 84

Referred by:  PAC  Parent  
 CST Member  Administrator  
 Guidance Counselor  Physician/Nurse  
 Agency

#### Reason for referral:

Bernadette has been diagnosed with dyslexia.

I approve the 504 Plan for my child.

I do not approve the 504 Plan for my child.

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

# EXHIBIT 11

# Monmouth County Vocational School District

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Timothy M. McCorkell  
Superintendent

Anthony J. Schaible  
Assistant Superintendent

## Marine Academy of Science and Technology

305 MAST Way  
Highlands, New Jersey 07732  
Phone 732/291-0995  
Fax 732/291-9367

Collette Flatt  
Business Admin/Bd. Sec'y

Earl Moore  
Principal

July 7, 2015

To whom it may concern:

Bernadette Bibber was a student at the Marine Academy of Science and Technology who graduated in June of 2003. She recently contacted me for a copy of her transcript but all records prior to 2009 were destroyed in Hurricane Sandy. Ms Bibber has sent me a copy of her 504 Plan, which I can verify is accurate and official. Unfortunately, I cannot provide you with any other records at this time.

Please feel free to contact me if I can help further.

Marcy Kay  
Guidance Counselor

# EXHIBIT 12



Services for Students with Disabilities  
PO Box 6226 • Princeton, NJ 08541-6226  
Voice: 212-713-8333 TTY: 609-882-4118  
Fax: 609-771-7944 E-mail: [ssd@info.collegeboard.org](mailto:ssd@info.collegeboard.org)

November 4, 2015

Bernadette Bibber  
183 Bennett Road  
Freehold, NJ 07728

Dear Bernadette Bibber:

You asked for confirmation that you were approved to take College Board exams, which include SAT, PSAT/NMSQT and AP, with accommodations.

This letter confirms that on October 25, 2001 you were approved to take College Board exams with 50% Extended Time in Reading, Writing, Mathematical Calculations accommodations.

We caution any reader of this letter that our confirmation of accommodations approved in the past does not mean an endorsement of the accommodations at the present time.

Sincerely,

Services for Students with Disabilities

# EXHIBIT 13

# Colby

COLBY COLLEGE  
4250 Mayflower Hill  
Waterville, Maine 04901-8842  
TEL 207-872-3104  
FAX 207-872-3076

OFFICE OF THE DEAN OF STUDENTS

February 11, 2005

Bernadette Bibber  
Box 6206  
Colby College

Dear Bernadette:

The Foreign Language Modification Committee has completed its review of your petition, and I am pleased to inform you that a modification has been approved based on the documentation provided.

You will need to submit to me, in writing, the combination of three courses in a single culture area you will take to fulfill the modified requirement. Even if you feel that it should appear obvious to me from your transcript what the courses are, please send them to me for approval. If you have questions about this, please feel free to speak with me for clarification. Call 3104 for an appointment if we need to talk and do not hesitate to ask for help as you plan your substitution grouping.

Best wishes in the remainder of your Colby career.

Sincerely,



Mark R. Serdjenian  
Associate Dean of Students for the  
Foreign Language Modification Committee

xc: Registrar Coleman  
Professor Katz, Advisor

# EXHIBIT 14



Office of Student Affairs  
Rutgers, The State University of New Jersey  
185 South Orange Avenue, MSB C-696  
Newark, NJ 07103

Website: <http://njms.rutgers.edu/gsbs/>  
phone 973-972-4511  
fax 973-972-7148

September 10, 2015

To Whom It May Concern,

Please be advised that Bernadette Bibber a recent student in the Masters of Biomedical Sciences program at the Rutgers, Graduate School of Biomedical Sciences received accommodations for her examinations. Based on the documentation received by Ms. Bibber's physician, she received time and a half for exams and a quiet space.

Sincerely,

A handwritten signature in black ink, appearing to read "Nadine Stevens".

Nadine Stevens  
Program Administrator  
Office of Student Affairs and Admissions  
Graduate School of Biomedical Sciences  
Rutgers, The State University of New Jersey  
185 South Orange Avenue, MSB C-696  
Newark, NJ 07103  
Phone: 973-972-1396; Fax: 973-972-7148  
[nadine.stevens@rutgers.edu](mailto:nadine.stevens@rutgers.edu)  
<http://njms.rutgers.edu/gsbs/index.htm>

# EXHIBIT 15

**COMPLEX-USA LEVEL 1, LEVEL 2-CE, OR LEVEL 3 EXAMINATION**

**OSTEOPATHIC MEDICAL SCHOOL QUESTIONNAIRE**

This questionnaire must be completed and signed by or for the Dean of the osteopathic medical school/college where the Candidate studied osteopathic medicine, and submitted to the NBOME by the Candidate with his or her Request for Test Accommodation.

I, Linda Boyd, DO, as or for the Dean of Rowan University SOM, verify that the records of this school/college show that Bernadette Bibber (Candidate"),

A. Has the following physical or mental impairment for which an accommodation has been provided: Dyslexia (315.00) , ADHD (314.00).

B. Has been provided the following accommodation(s) by the school/college: time and one-half for testing  
for or in connection with the following testing or activities: any examinations that require reading, including written exams.

**Documentation Supporting Accommodation**

Was the accommodation provided by the school/college based upon a professional diagnosis or documentation provided to the school/college by or for the Candidate? Yes  No

If so, please describe all diagnostic information and other documentation reviewed and considered by the school/college upon which it based its approval of the accommodation to the Candidate: Wechsler Adult Intelligence Scale-IV, Conners Adult ADHD Rating Scale (self-report and observer version), Wechsler Individual Achievement Test -III, Nelson Denny Reading Test

Signed: Linda Boyd, DO  Date: 2/4/2015  
Title: Senior Associate Dean, Academic Affairs

\*\*\*\*PLEASE TYPE OR PRINT BELOW\*\*\*\*

Name of Dean: Thomas Cavalieri, DO Representative: Jacqueline Giacobbe

Business Address:

1 Medical Center Drive  
Academic Center, Suite 210  
Stratford, NJ 08084 Business Phone 856-566-6980  
Business Fax 856-566-6341



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Office of Academic Affairs

May 4, 2015

National Board of Osteopathic Examiners  
8765 W. Higgins Road  
Suite 200  
Chicago, IL 60631

To whom it may concern:

This letter is in support of our second-year student, Bernadette Bibber's, request for accommodations for the COMLEX Level 1 exam.

Bernadette Bibber has been an undergraduate medical student at Rowan University School of Osteopathic Medicine since 2013. Since matriculating with us, Bernadette has received exam accommodations for all of her courses, which include time and one-half for all objective tests. With these accommodations in place, she performs very well in our curriculum.

The decision to provide accommodations was based on updated and previous psychoeducational evaluations she submitted, along with her long history of a documented disorder. Bernadette was diagnosed with Dyslexia (315.00) and Attention Deficit/Hyperactive Disorder (314.00) at a young age, for which she received special education services until 8<sup>th</sup> grade. A 504 plan was put in place throughout high school and college years as well.

Based on her psychoeducational evaluation, particularly the discrepancy in her reading skills in a timed versus untimed Nelson Denny Reading Test, it appears that Bernadette is better able to perform at a level consistent with her abilities when given exams in an extended time, distraction-reduced setting.

In short, the School supports Bernadette's request for accommodations and we hope that she will have an opportunity to demonstrate her knowledge on a leveled playing field.

Should you have additional questions about this matter, please feel free to contact me at 856-566-6725.

Sincerely,

A handwritten signature in black ink that reads "Linda Boyd DO".

Linda Boyd, DO  
Senior Associate Dean for Academic Affairs

# EXHIBIT 16



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Office of Academic Affairs

August 24, 2015

National Board of Osteopathic Examiners  
8765 W. Higgins Road  
Suite 200  
Chicago, IL 60631

To whom it may concern:

This letter confirms that RowanSOM second-year student, Bernadette Bibber, has received exam accommodations (up to time and one-half) for all course and clerkship exams, including any COMAT and COMSAE exams that have been administered to her. These accommodations have been in place for her since her matriculation with us in Fall, 2013.

The School fully supports Bernadette's request for accommodations and we hope that she will have an opportunity to demonstrate her knowledge on a leveled playing field.

Should you have additional questions about this matter, please feel free to contact me at 856-566-6725.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Boyd DO".

Linda Boyd, DO  
Senior Associate Dean for Academic Affairs

# EXHIBIT 17



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Office of Academic Affairs

November 16, 2015

Charles Weiner, Esq.  
501 Cambria Avenue  
Bensalem, PA 19020

Dear Mr. Weiner,

Per our student's request, we are providing you with the following information. At RowanSOM, we have a strict timeline by which students are required to take and/or pass their COMLEX licensing exams. For COMLEX Level 1, all students must have attempted the board exam by no later than August 31 of their third year. If a student is unsuccessful on their first attempt, they must retake the exam by November 30<sup>th</sup> of the same year.

As you know, our third-year student, Bernadette Bibber, has been applying for accommodations through the NBOME. Working through that process has pushed her well beyond both our first and second deadlines. As Senior Associate Dean, I have granted extensions to the timeline for Bernadette in light of this situation. I can grant one last extension until January 31, 2016. We are eagerly awaiting a positive outcome of her request for accommodations based on her documented and long-standing disability.

If you need any additional information, please don't hesitate to contact me at 856-566-6285.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Boyd DO".

Linda Boyd, DO  
Senior Associate Dean for Academic Affairs

# EXHIBIT 18

**COMLEX-USA LEVEL 1, LEVEL 2-CE OR LEVEL 3 EXAMINATION**

**REQUEST FOR TEST ACCOMMODATION**

**National Board of Osteopathic Medical Examiners, Inc.**

1. Fully read the accompanying instructions. This request and all supporting documentation MUST BE TYPED OR PRINTED. Illegible materials will not be considered.
2. Indicate the examination for which this request is made and fully and completely answer all questions (attach additional sheets if more space is needed to properly and fully respond to these questions).
3. Include all required documentation. See REQUIRED SUPPORTING DOCUMENTATION accompanying this request form.
4. Submit this completed form and Osteopathic Medical School Questionnaire, and all required supporting documentation to the NBOME, 8765 W. Higgins Road, Suite 200, Chicago, IL 60631-4174, Attn: Candidate Services Coordinator.
5. Keep a copy of this request and all other documents, and submit all documents via a traceable or return-receipt method in order to verify timely delivery

NBOME ID #: \_\_\_\_\_ Social Security #: 141-88-0068

Name: Bernadette M. Bibber

Address: 38 Minnehaha Rd Phone # (Day): 908-216-6663

Somerdale, NJ 08083 Phone #(Evening): 908-216-6663

\_\_\_\_\_  
Email Address: bibberbm@rowan.edu

I request an accommodation for the following COMLEX-USA Examination:

**Level 1**       **Level 2-CE**       **Level 3**

In support of this request, I certify that the following information is true and complete:

1. Impairment. Has a qualified professional determined that you have a physical or mental impairment that substantially limits one or more of your major life activities (i.e., activities that "are central to most people's daily lives") ("Impairment")? Yes  No  If so,

- (a) Described each Impairment: Dyslexia, visual perceptual impairment, and ADHA which cause difficulty reading and spelling, slow processing speed, deficits in working memory, difficulty putting information into long term memory, inattentive, difficulty initiating assignments and invert or transpose letters.
- (b) Identify each major life activity that is substantially limited by your Impairment: Studying, learning, reading, writing, memorizing, completing paperwork, processing information, and maintaining time constraints for certain activities related reading. (See attached).

(c) Describe in detail how and under what circumstances your Impairment substantially limits your major life activity/activities: See attached.

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2. Diagnosis. When was your Impairment diagnosed by a qualified professional? \_\_\_\_\_  
age 7 years \_\_\_\_\_. For each diagnosis or treatment of your Impairment by a qualified professional, please separately describe the following:

(a) The name and qualifications of professional(s) diagnosing or treating your Impairment:  
See attached.

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(b) All treatment, medication and/or remediation you have received for your Impairment:  
See attached.

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(c) Were you ever informed that you do not have the Impairment? Yes  No  If so, state when you were told, the name, address and qualifications of the professional or other person expressing such diagnosis or opinion, and attach any documentation pertaining to that diagnosis or opinion: \_\_\_\_\_

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3. Corrective or Mitigating Measures. Has any corrective or mitigating measure (other than as described in 2(b) above) for your Impairment been provided, prescribed or recommended? Yes  No  If so, describe all such corrective and/or mitigating measures received or recommended for your Impairment, including dates, nature and results:

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4. Accommodation(s) Requested. Describe the accommodation(s) that is/are necessary to provide to you access to the examination: Time and a half.

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and state in detail all reasons you believe this accommodation(s) is/are necessary: see attached.

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5. Prior Accommodation(s). Have you ever previously applied for or received an accommodation for your Impairment? Yes  No  If so, describe all accommodations previously provided, including the date(s) the accommodation was provided and the identity of the school(s) or testing agency/agencies providing you with the accommodation:

(a) Accommodation(s) provided in educational setting prior to medical school/college:  
See attached.

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(b) Accommodation(s) provided in medical school/college: See attached.

(c) Other accommodation(s) provided in connection with any examination or test:  
See attached.

(d) Describe all examinations you have taken, if any, without an accommodation, including the date(s) or period(s) the examination(s) was administered, the testing agency, school or college administering such examination, and whether or not you passed or successfully completed the examination without an accommodation: See attached.

(e) Have you ever been denied any requested accommodation? Yes  No   
If so, state the date of each such denial, identify the school(s), testing agency/agencies or other entity denying the requested accommodation, and describe in detail the circumstances:  
See attached.

5. **Supporting Documentation.** Attach all required supporting documentation. See REQUIRED SUPPORTING DOCUMENTATION in the accompanying instructions, the NBOME Policies & Procedures of ADA Accommodation, and Bulletin of Information.

**VERIFICATION, AGREEMENT AND AUTHORIZATION**

I, the undersigned candidate requesting an accommodation under the ADA,

CERTIFY, *under the penalties for perjury*, that all the foregoing representations and accompanying documentation are true and complete, and that the accommodation(s) requested by me is/are appropriate and necessary for me to have access to the COMLEX-USA Examination, and

AUTHORIZE any person, school, testing agency or other entity to release and provide to the NBOME or its representative upon the NBOME's request any and all information available relating to my Impairment or the information provided in my request for accommodation, including but not limited to any and all medical, tests, examinations or other records or documents pertaining to me.

Signature: Bernadette M. Bibber  
Candidate Name

Printed: Bernadette M. Bibber  
Candidate Name

Date: 12/20/2014

# EXHIBIT 19

**1. Impairment:**

- a. **Describe each impairment:** Dyslexia, visual perceptual impairment and ADHD which cause difficulty reading and spelling, slow processing speed, deficits in working memory, difficulty putting information into long term memory, inattentive, difficulty initiating assignments, and transpose or invert letters.
- b. **Identify each major life activity that is substantially limited by your impairment:** Studying, learning, reading, writing, memorizing, completing paperwork, processing information, and maintaining time constraints for certain activities like completing assignments or paperwork that are reading and writing intensive which are hindered by the time and effort it takes me to work through and comprehend the reading.
- c. **Describe in detail how and under what circumstances your impairment substantially limits your major life activity/activities:** Studying and learning the material for each exam module is very difficult. It takes me 3-4 times as long to read the material and even longer to process all of the material in comparison to other students. Often, I am unable to complete studying all of the material by the time of the exam. Due to my difficulty reading I am not able to complete the out of class reading on top of the class material. I have a very hard time putting information into my long-term memory, which makes the recall of information overtime difficult. In order to form long-term memory of information, I have to write the information repeatedly over several weeks, which takes more time than our rigorous schedule allows me. I use handwriting of the information as a method of bypassing my perceptual impairment. This requires me handwriting all of the information we learn in a block and often I do not have enough time to see the material in the block more than once or twice while studying. During exams, my inability to read quickly and fluently makes it difficult to complete exams without extended time. Questions that are passage or vignette based are especially difficult to complete within the required time because of my lack of speed and fluency. I have found that when I have the time to read and decode the sentence that I am often correct, but exams that do not offer enough time do not allow me the time I need to read and decode. This prevents me from being able to answer correctly because I have not been able to determine what the question is telling me or asking me.

**2. Diagnosis**

- a. **The name and qualifications of professional(s) diagnosing or treating your Impairment.**
  - i. Rowan University Assessment and Learning Center – Christine Williams, Ed. S. and Maria Palmieri, M.A., LDTC – 2013 evaluated for accommodations.
  - ii. Ann Schoenthaler-Ervin, Ph.D. – 2005 evaluated for ADHD.
  - iii. Phoebe Liss, Ed. D. – 2004 evaluated for ADHD.
  - iv. Diana Hanbury King, IDA Advisor, AOGPE Fellow – 2004 evaluated for dyslexia and ADHD.
  - v. Monmouth Ocean Educational Services Commission - 1992 evaluated for learning disabilities and repeated every 3 years through high school.
- b. **All treatment, medication and/or remediation you have received for your impairment:**
  - i. Orton-Gillingham Tutoring
  - ii. Wilson Reading Method Tutoring
  - iii. Adderall XR
- c. **Were you ever informed that you do not have the Impairment?** No.

**3. Corrective or Mitigating Measures:** Has any corrective or mitigating measure (other than as described in 2(b) above) for your impairment been provided, prescribed or recommended? No

**4. Accommodation(s) Requested.**

- a. **Describe the accommodation(s) that is/are necessary to provide to you access to the examination.**
  - i. Time and a half.
- b. **And state in detail all reasons you believe this accommodation(s) is/are necessary:**
  - i. My dyslexia and perceptual impairment makes testing difficult and slows my ability to complete questions. It takes me a long time to read passages and questions correctly. I

then have to process the information that I have read and recall what I know. As a dyslexic, I lack fluency in reading, which means that it takes me more time and effort to read than others. Because of this, during an exam I will read the question, sometimes more than once, in order to get the information the question gives, understand the question that is asked and determine what choices are offered. This increased effort and time makes it difficult to answer all of the questions in the allotted time. I need the extra time to process and read so that I can correctly answer the questions based on the same information that the other students get to process and work with. No amount of extra time can give people the correct answer, but for people like me, not having enough time doesn't allow me to completely read passages, questions and answer options before choosing an answer. When I took my MCATs I was unable to afford to pay for the repeat testing needed for accommodation approval and took the test without the extended time. I started the first section of the exam by reading the passages and answering the questions, which for a normal individual would have been the right way to complete the test. But I was unable to finish the section, because reading the passages that the questions were based on took too long for me to do within the allotted time. I had the majority of the section left unanswered because it took me too much time to read and decode the passages. When I realized I didn't have enough time to read anything but the questions, I switched to just reading the questions, but unfortunately I missed a lot of the information that was present in the passages simply because I can't read and process the information as quickly as other students. Having the time to read and process the information given gives me the equal opportunity to answer the question.

**5. Prior Accommodation(s).** Have you ever previously applied for or received an accommodation for your impairment? Yes. If so, describe all accommodations previously provided, including the date(s) the accommodation was provided and the identity of the school(s) or testing agency/agencies providing you with the accommodation:

a. Accommodation(s) provided in educational setting prior to medical school/college:

- i. High School: Marine Academy of Science and Technology, 1999-2003.
  - 1. Time and a half on exams.
  - 2. Notes provided.
  - 3. Extended due dates for written assignments.
  - 4. One on one tutoring once a week in trouble subjects.

ii. Grade School: St. Rose of Lima, 1990-1999.

- 1. One on one tutoring for reading, spelling and math.
- 2. Extended time on testing.
- 3. Study guides and notes supplied for classes.

b. Accommodation(s) provided in medical school/college:

i. *Medical School:* Rowan University School of Osteopathic Medicine

- 1. Time and a half on exams.

ii. *Graduate School:* Rutgers University Graduate School of Biomedical Sciences – Newark, 2010-2011.

- 1. Time and a half on exams.

iii. *College:*

1. Colby College, 2003-2007.

- a. Time and a half on exams.
- b. Notes supplied for classes.
- c. Extended time to complete written assignments.
- d. Verbal testing to replace written exams in classes using open-ended questions.
- e. Waiver of foreign language requirement.

2. Kennebec Valley Community College, 2007.

- a. Time and a half on exams.

- b. Notes supplied for classes.
- c. Other accommodation(s) provided in connection with any examination or test:
  - i. PSATs – time and a half
  - ii. SAT I – time and a half
  - iii. SAT II – time and a half
  - iv. Advanced Placement (AP) Exam – time and a half
- d. Describe all examinations you have taken, if any, without an accommodation, including the date(s) or period(s) the examination(s) was administered, the testing agency, school or college administering such examination and whether or not you passed or successfully completed the examination without an accommodation:
  - i. MCAT via Prometrics Testing Center – 2008 and 2012, did not complete both sections, scored in the 40-50%-ile. Not successfully completed.
  - ii. GRE via Prometrics Testing Center– 2011, did not complete all sections in the allotted time, scored in the 50-71%-ile for quantitative and verbal reasoning. Not successfully completed.
- e. Have you ever been denied any requested accommodation? Yes. If so, state the date of each such denial, identify the school(s), testing agency/agencies or other entity denying the requested accommodation, and describe in detail the circumstances:
  - i. MCAT in 2008. Association of American Medical Colleges wanted me to get tested again, but I did not have enough money at the time to get retested. The testing costs over \$2,000 and I had just graduated college and didn't have the funds to spend even though I know I would have done much better if I had time and a half. As my grades in medical school, graduate school and college show, with the proper accommodations I actually score as expected relative to my intelligence and understanding. The accommodations allow me to complete all sections because I have the time to read, process and answer the passages and questions. My understanding of the material is not shown when I do not have enough time to read and answer the questions and such exams are not effective measures of my understanding or ability.

The evaluations I have attached are from my most recent re-evaluations. Information from high school and grade school was lost during Hurricane Sandy in 2012. That testing included information about my classification, dyslexia and visual perceptual impairment. I have included proof of extended time on my PSATs, SATs, and AP exams, but it is the only documentation that survived the hurricane. I was able to get copies of testing from during college and they are included in this packet.

# EXHIBIT 20

# **NATIONAL BOARD OF OSTEOPATHIC MEDICAL EXAMINERS, INC.**

## **REQUEST FOR TEST ACCOMMODATION**

**Instructions and Forms**

**COMPLEX-USA EXAMINATIONS  
Level 1, Level 2-CE, Level 3**

The National Board of Osteopathic Medical Examiners, Inc. ("NBOME") provides reasonable and appropriate accommodations in accordance with the Americans with Disabilities Act ("ADA") for individuals taking an NBOME examination who provide the required documentation showing that he or she is "Disabled" within the meaning of the ADA (see definitions below).

If you meet the requirements of the ADA, and desire an accommodation while taking the COMPLEX-USA Level 1, Level 2-CE, or Level 3 Examination administered by the NBOME, you may request an accommodation, using the Request for Test Accommodation and Osteopathic Medical School Questionnaire forms accompanying these instructions, and providing the required documentation to access your eligibility.

Carefully read the following instructions. You should also consult the NBOME Bulletin of Information and Policies & Procedures for ADA Accommodations at the NBOME website ([www.nbome.org](http://www.nbome.org)) for additional and updated information.

## **INSTRUCTIONS**

1. Complete and sign the attached Request for Test Accommodation. The application must be clearly legible (typed or printed).
2. Obtain from your medical school/college a completed and signed Osteopathic Medical School Questionnaire, using the form attached.
3. Obtain ALL necessary documentation from qualified professional(s) who evaluated your impairment. See DOCUMENTATION below.
5. Submit the completed Request for Test Accommodation, the completed Osteopathic Medical School Questionnaire, and all required documentation to the Candidate Services Coordinator, National Board of Osteopathic Medical Examiners, 8765 W. Higgins Road, Suit 200, Chicago, Illinois 60631-4174.
6. You should retain a copy of your request and all documentation. You should also send your request and all documentation by a traceable or return-receipt means to provide proof of submission. (Facsimile transmission of your request or documentation is not acceptable unless specifically authorized in writing by the NBOME.)
7. You may not schedule a date to take the examination with a test accommodation unless and until you are notified by the NBOME that a test accommodation will be provided. See SCHEDULING below.

**\*NOTE: review of a request for an accommodation will not begin until all documentation is submitted. Review can take up to eight (8) weeks.**

## **ELIGIBILITY**

A candidate may be qualified for an accommodation under the ADA if he or she has "a physical or mental impairment that substantially limits one or more major life activities of such individual."

A "major life activity" is an activity that is "of central importance to most people's daily lives" (e.g., walking, seeing). A candidate is "substantially limited" by his or her physical or mental impairment if he or she is unable to perform a "major life activity" that the average person in the general population can perform or is significantly restricted as to the condition, manner or duration under which he or she can perform that "major life activity" as compared to most people in the general population.

If the candidate has a physical or mental impairment that "substantially limits" one or more of his or her "major life activities," he or she has a "disability" for which an accommodation may be appropriate under the ADA ("Disability"), provided the candidate makes timely request to the NBOME for an ADA accommodation and sufficiently documents his or her disability and need for the requested accommodation.

Even though the candidate has a Disability, the NBOME is not required to accommodate that individual if the accommodation would fundamentally alter the nature of the performance evaluation program or what the examination is intended to measure, or would unreasonably burden the NBOME or other candidates.

## **REQUIRED SUPPORTING DOCUMENTATION**

In addition to the completed and signed Request for Test Accommodation and Osteopathic Medical School Questionnaire, the candidate must submit the following documentation relevant to his or her impairment and Disability:

1. Evaluations from qualified professional(s) explaining in detail the following:
  - a. Formal diagnosis of the physical or mental impairment.
  - b. Identification of each major life activity (an activity that is important to most people in their daily lives) limited by the candidate's impairment.
  - c. How the impairment substantially limits that major life activity/activities as compared to most people in the general population.
  - d. The specific accommodation that is necessary to make the examination accessible to the candidate.
  - e. Why the recommended accommodation is necessary.
2. The date(s) of the assessment of the candidate's impairment (the most recent assessment date must be no more than three (3) years prior to the request date when necessary for evaluation).

3. A clear and comprehensive description of the specific diagnostic criteria and the names of all diagnostic tests used, including date(s) of evaluation, a list of specific test results in standard score format and a detailed interpretation of the test results in support of the diagnosis (the tests used must be reliable, valid and standardized to an adult population).
4. All educational, developmental and medical history relevant to the candidate's impairment.
5. A description of the treatment, if any, that has been prescribed or provided for the diagnosed impairment, and whether the candidate has been tested while under treatment or not or both.
6. A detailed history of treatment provided to the candidate by the evaluating professional and others.
7. The qualifications of the evaluating professional.

\* **NOTE: If all pertinent detailed documentation and information listed above is not submitted with the request for a test accommodation, the request is incomplete and may not be considered by the NBOME.**

### **CONSIDERATION PROCESS**

Before a request for a test accommodation will be considered, the Request for Test Accommodation, the Osteopathic Medical School Questionnaire, using the forms included with this application, must be completed and submitted to the NBOME office, with all required supporting documentation.

The candidate is responsible for obtaining all required documentation, including all costs of providing documentation. The NBOME reserves the right to request additional documentation, which shall be provided by the candidate at his or her cost.

The NBOME may verify all information and documentation provided by or for the candidate. If a candidate misrepresents any information provided to the NBOME in connection with his or her application to take an examination or a request for a test accommodation, the NBOME in its sole discretion, may revoke or deny his or her eligibility to take any examination administered by the NBOME.

### **RECONSIDERATION OF DENIED TEST ACCOMMODATION REQUEST**

If a requested test accommodation is denied, the candidate may request a reconsideration **only if new and compelling information supporting the request that was not previously available to the candidate is submitted to the NBOME with a written request for reconsideration, provided the request for reconsideration and new information is submitted to the NBOME prior to scheduling of his or her examination.**

If the new information provided warrants reconsideration of the request, the NBOME will review the new information submitted and notify the candidate whether the requested accommodation will be granted based upon the newly submitted information. The scheduling of the examination will likely be delayed if the candidate requests a reconsideration of the denial of his or her request for a test accommodation.

### **SUBSEQUENT EXAMINATIONS**

Any candidate who has been granted an ADA accommodation to take any COMLEX-USA examination and desires an accommodation to take a subsequent COMLEX-USA examination must complete and submit a new Request for Test Accommodation with his or her application to take the subsequent examination.

If new or additional documentation is available relating to the candidate's Disability, the candidate must submit that documentation to the NBOME with his or her Request for Test Accommodation for the subsequent examination. Documentation that is older than three years must also be updated when necessary for evaluation.

The NBOME may also request additional documentation or information relating to the candidate's impairment or Disability to properly evaluate the request.

### **SCHEDULING**

If a candidate requests an accommodation to take the COMLEX-USA examination, he or she may not schedule that examination until he or she is notified whether an accommodation will be provided.

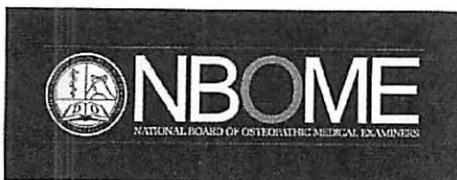
If and when the NBOME notifies the candidate that a test accommodation will be provided, the candidate must contact the National Board of Osteopathic Medical Examiners by telephone, to coordinate the granted accommodation with the scheduling of the COMLEX-USA Examination.

### **CANCELLATION**

A candidate who is granted a test accommodation and scheduled the accommodated examination must contact the NBOME Candidate Services Coordinator by telephone: 773-714-0622, at least Five (5) full business days prior to the scheduled examination date to cancel that examination. Failure to do so may result in the candidate being assessed the costs of the unused accommodation.

If a scheduled examination is cancelled and rescheduled, whether or not an accommodation was granted, the candidate must pay all required cancellation and/or rescheduling fees as stated in the most recent NBOME Bulletin of Information.

# EXHIBIT 21



National Board of Osteopathic Medical Examiners, Inc.

[www.nbome.org](http://www.nbome.org)

April 2, 2015

Bernadette M Bibber  
38 Minnehaha Rd  
Somerdale, NJ 08083

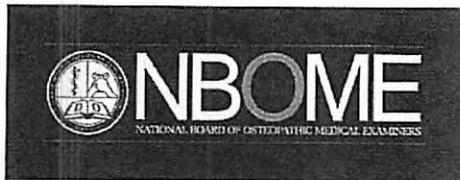
Dear Ms. Bibber,

The National Board of Osteopathic Medical Examiners (NBOME) has carefully reviewed your request for test accommodations under the Americans with Disabilities Act as amended (ADA) for the COMLEX-USA Level 1 examination. Your request for test accommodations is based on your reported Attention-Deficit/Hyperactivity Disorder (ADHD) and reading disorder (dyslexia).

After carefully considering all of the documentation you submitted in support of your application, including the reports and opinions of those who have evaluated you, as well as the opinion of an independent expert in the field of ADHD and reading disorders, the NBOME determined that your documentation does not demonstrate that you are a "person with disabilities" as required by the ADA. Therefore, your application for test accommodations under the ADA was not approved.

The reasons for the NBOME decision include the following:

1. A person with a disability under the ADA is an individual who has a physical or mental impairment that substantially limits one or more of his or her major life activity *as compared to most people in the general population*, not to the applicant's potential or medical school peers.
2. Therefore, before the NBOME may approve a request for accommodations under the ADA, the applicant must demonstrate not only a physical or mental impairment, but also that the impairment substantially limits his or her major life activities, as compared to most people in the general population. A diagnosis of an impairment alone is not sufficient to establish a right to accommodations under the ADA. Any impairment must "substantially limit" the applicant's real life activities relative to his or her ability to access the COMLEX-USA Level 1 examination.
3. By definition, ADHD is a developmental disability with a childhood onset that typically results in a chronic and pervasive pattern of functional impairment in academic, social and vocational areas, and also in daily adaptive functioning. The documentation you submitted does not establish a clear history of substantially limited functioning in attention relative to the general population.
4. Your documentation does not demonstrate that you currently suffer any kind of social, vocational or behavioral deviance compared to most people in the general population, or that these behaviors have substantially limited your functioning in two or more major life settings as required for a diagnosis of ADHD, or any a major life activity as required by the ADA, relative to your ability to access the COMLEX-USA Level 1 examination.
5. A key feature in any learning disability, including dyslexia, is low academic skills. The current diagnostic criteria for "Specific Learning Disorder" require that someone's "academic skills are



National Board of Osteopathic Medical Examiners, Inc.

[www.nbome.org](http://www.nbome.org)

substantially and quantifiably below those expected for the individual's chronological age." Dyslexia would involve reading skills that are below age expectations. However, test data from your most recent psychoeducational assessment show above average ability to comprehend, think and reason, even in timed measures. In fact, on the Wechsler Individual Achievement Test-Third Edition, you demonstrated average word reading accuracy and comprehension and average oral reading fluency. Your performance on a composite measure of reading comprehension and fluency was also average. In another recent evaluation, your performance on the Nelson Denny Reading Test, where reading comprehension is measured within the context of a timed, multiple choice examination, was within normal limits.

6. Further, you took the GRE and MCAT examinations under standard conditions and reported having scored between the 40<sup>th</sup> and 71<sup>st</sup> percentile. Note that these percentiles reflect your standing as compared to a highly educated group of people. Your performance, therefore, demonstrates your ability to engage equally in standardized examinations such as COMLEX-USA and do not support the need for accommodations.

Overall, the documentation you provided does not demonstrate that you are substantially limited in a major life activity, when compared to most people in the general population, nor does your documentation demonstrate how the behaviors you report have substantially limited your functioning relative to your ability to access the COMLEX-USA Level 1 standardized timed examination.

Nonetheless, if you can provide us any additional information to address the concerns described above regarding the ADA requirements, the NBOME would reconsider your request for test accommodations under the ADA.

Sincerely,

A handwritten signature in black ink that reads "Margaret Wong". The signature is fluid and cursive, with "Margaret" on top and "Wong" on the bottom.

Margaret Wong  
Director, Client Services

# EXHIBIT 22

## FREEMAN LAW OFFICES, LLC

A LIMITED LIABILITY COMPANY

HILLARY D. FREEMAN \*  
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+ ADMITTED IN NJ & NY

HILLARY D. FREEMAN, ESQ.  
[Hillary@freemanlawoffices.com](mailto:Hillary@freemanlawoffices.com)

May 6, 2015

*Via email and regular mail*  
Margaret Wong, MBA  
Director of Client Services  
National Board of Osteopathic Medical Examiners  
101 West Elm Street  
Conshohocken, Pennsylvania 19428

Re: **Ms. Bernadette Bibber ("Bernadette")**  
DOB: 10/16/1984

To Whom this May Concern:

This office has been retained to represent Bernadette with regard to her request for accommodations on the COMLEX-USA Level 1 examination. Please accept this letter brief in lieu of a more formal brief in support of the Bernadette's Application for extended time on the exam.

As you know, the Americans with Disabilities Act (ADA) guarantees that qualified individuals with disabilities receive reasonable accommodations when sitting for the COMLEX-USA Level 1 examination. The ADA defines an "individual with a disability" as, inter alia, someone who has:

"(A) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (B) a record of such an impairment; or (C) being regarded as having such an impairment." 42 U.S.C. §12102(2). A "major life activity" includes but is not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working." 28 C.F.R. §36.104.

Similarly Section 504 of the *Rehabilitation Act of 1973* protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance, including federal funds. Section 504 provides that: "No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance . . ."<sup>1</sup>

FREEMAN LAW OFFICES, LLC

By way of background, Bernadette has a history of Dyslexia, Visual Perceptual Impairment and Attention Deficit Hyperactivity Disorder ("ADHD"). Due to her disabilities, Bernadette is unable to read and process the information on assessments within a limited period of time. She has had a difficult time with completing her course work in a timely fashion due to her learning disabilities. Additionally, she struggles with processing long reading passages for an appropriate period of time, and also has difficulty processing the material presented. Taken together and as demonstrated by the various assessments, her disabilities have substantially limited her ability to learn and demonstrate her comprehension of the material.

To accommodate such deficits, Bernadette has received accommodations via a Section 504 plan for almost her entire educational career. These accommodations included but were not limited to extended time (1 ½) on all assessments throughout her secondary and postsecondary education to enable her with an equal ability to demonstrate her knowledge as her peers. I have enclosed correspondence confirming the provision of same.

By failing to provide Bernadette extended time on the upcoming administration of the COMLEX-USA Level 1 examination, the Board will effectively have denied her the ability to demonstrate her knowledge solely by reason of her disability – the ability to read, process, and relay her knowledge within the limited period of time. I have enclosed documentation confirming same.

For the reasons set forth above, my client is requesting accommodations on the COMLEX-USA Level 1 examination that includes extended time to complete the exam. Thank you for your anticipated cooperation in this regard. Please do not hesitate to contact me with any questions or concerns.

Very truly yours,

  
Hillary Freeman

Enc.

Cc: Ms. Bernadette Bibber (via email)